

REMARKS

Claims 1, 3 – 6, 8 – 11, and 21 – 33 are currently pending. Claims 1 and 21 are the pending independent claims. In the Office Action, objections were raised with respect to the drawings. On the merits, Claims 1, 3 – 6, 9 – 12, 14, and 16 – 20 were rejected as allegedly being anticipated by U.S. Patent No. 5,352,276 to Rentschler et al. (“Rentschler”). Claims 7 and 8 were objected to as being dependent upon a rejected claim; however, the subject matter of the claims was indicated as being allowable if rewritten in independent form. Claims 21 – 33 were indicated as being allowed. The objections and rejections are respectfully traversed and favorable reconsideration is requested in view of the above amendments and following remarks.

The Drawing Objections.

In the Office Action, the Examiner raised a set of objections to the drawings.

Specifically, the Examiner requested that reference numbers be added to the pump and to the two vapor treatment vessels shown above the pump in Fig. 1. The requested amendments have been made in the drawing replacement sheets enclosed herewith. The vapor treatment vessels have been labeled with reference numbers 70 and 72 and the pump has been labeled as 74. Corresponding reference numbers have been added to the written specification.

The Examiner also requested that the flow into the air amplifier in Fig. 2 be labeled with a reference number. This amendment has also been made in the replacement drawing sheets. The flow into the air amplifier has now been labeled with reference number 68 in both the drawings and in the written specification.

In addition, the Examiner asked about the cross-hatching within conduit 36 in Fig. 2. The larger cross-hatched shape indicates the expanding cross-section of the fluid flow exiting the air amplifier 34. The smaller cross-hatched shape indicates the air amplifier 34 itself. After reviewing the drawing again, Applicants believe that cross-hatching is not needed for adequately disclosing/ discussing either of these features. Accordingly, the cross-hatching has been removed from Fig. 2 in the replacement drawing sheet.

Finally, the Examiner questioned whether Fig. 4 was considered to be a depiction of the

prior art. In response, Applicants respond that the extraction well depicted in Fig. 4 may be used in accordance with certain embodiments of the presently claimed invention. While certain aspects of the extraction well of Fig. 4 may have been previously disclosed, Fig. 4 is not considered to be a depiction of the prior art.

In addition to the Replacement Sheets, a set of hand-marked annotated sheets are also enclosed showing the changes being made.

The Prior Art Rejections.

Once again, Claims 1, 3 – 6, 9 – 12, 14, and 16 – 20 were rejected as allegedly anticipated by the Rentschler patent. Applicants respectfully traverse the Examiner's rejection of the claims as amended in their prior amendment of October 30, 2006, for at least the reasons previously set forth in the arguments accompanying that amendment.

Nonetheless, in the interest of advancing this case to allowance, Applicants have amended Claim 1 to incorporate the limitations of Claim 7, which the Examiner has indicated to be allowable if rewritten in independent form. Claim 7 has accordingly been cancelled and Claim 8 has been amended to now depend from Claim 1 rather than Claim 7. In addition, Claims 12 – 20 have been cancelled without prejudice. Thus, all pending claims now recite subject matter which the Examiner has deemed allowable over the prior art.

It is to be clearly noted that the foregoing amendments to and cancellations of certain claims are being done with traverse of the propriety of the prior art rejections, and that Applicants reserve the right to further prosecute the subject matter of Claims 12 – 20 and the previous version of Claim 1 via a continuation application.

The foregoing is submitted as a full and complete response to the Office Action of February 12, 2007. These amendments to the claims and to the other parts of the application in satisfaction of the Examiner's requirements and to address his questions and concerns are believed to place the application in condition for allowance. Therefore, entry of the foregoing amendments and allowance of the claims is respectfully solicited.

In the event this response is not timely filed, Applicants hereby petition for the appropriate extension of time and request that the fee for the extension along with any other


Application No. 10/828.843
April 12, 2007

fees which may be due with respect to this paper be charged to our **Deposit Account No. 12-2355.**

Respectfully submitted,

LUEDEKA. NEELY & GRAHAM, P.C.

By:


J. David Gonce
Registration No. 47,601

JDG:lal
Date: April 12, 2007
P.O. Box 1871
Knoxville, Tennessee 37901
(865) 546-4305

e-file

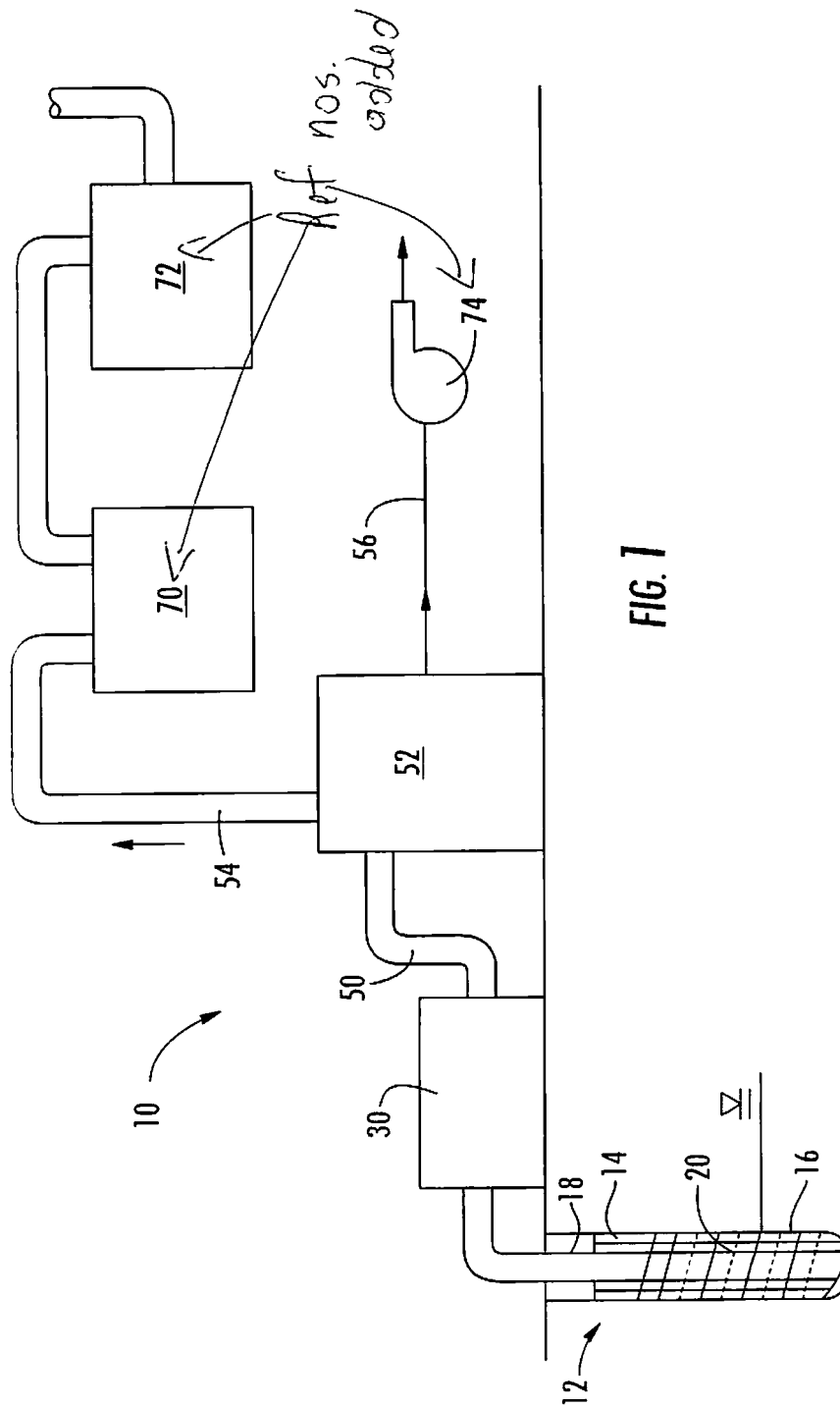


FIG. 1

